

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAVIER CESARIO and
FERNANDO MARTINEZ,

Plaintiffs,

v.

BNI CONSTRUCTION, INC.,
MIKIAL ABDUR-RAHIM and
MUSA LAST NAME UNKNOWN,

Defendants.

Civ. No. 07 Civ. 8545 (LLS) (GWG)

DECLARATION OF
EVELYN TORIBIO

I, **EVELYN TORIBIO**, subscribe as true under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an employee of Constantine Cannon LLP, counsel for the plaintiffs in this matter, and I am over 18 years of age. I make this declaration in support of the plaintiffs' request for entry of a default judgment against the defendants and award of monetary damages and other relief. I have personal knowledge of the facts set forth herein.
2. I am fluent in English and Spanish, both written and spoken.
3. Today, September 9, 2008, I provided to plaintiffs Javier Cesario and Fernando Martinez correct and accurate translations of their declarations in support of their request for a default judgment against defendants that Constantine Cannon would be filing in this Court on their behalf.
4. Messrs. Cesario and Martinez communicated to me in Spanish that they understood their declarations and that the information stated therein was true and accurate.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 9, 2008
New York, New York



EVELYN TORIBIO